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2  
3 BILL NO. S-74-10-16

4 SPECIAL ORDINANCE S- 166-74

5 AN ORDINANCE authorizing the issuance and sale of \$850,000  
6 Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Project)  
7 of the City of Fort Wayne, Indiana, for the purpose of  
8 acquiring real estate, machinery, equipment and related  
9 property comprising economic development facilities  
10 for lease and sale to Fort Wayne Wire Die Realty Co. authorizing  
11 execution of the Lease, providing for the pledge of revenues  
12 for the payment of said bonds, authorizing a mortgage  
13 and indenture of trust appropriate for the protection  
14 and disposition of such revenues; and authorizing  
15 the sale of said bonds.

16  
17 WHEREAS, the Fort Wayne Development Commission has developed and  
18 filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne  
19 Development Commission Regarding Facilities to be Purchased for Fort Wayne Wire  
20 Die Realty Company and the City Clerk has presented the same to the Common  
21 Council; and

22 WHEREAS, the Fort Wayne City Plan Commission has filed its written  
23 comments concerning said proposed plan and approving the same; and

24 WHEREAS, it is in the best interest of the City of Fort Wayne and the  
25 economic development thereof, that said Report be approved and that the acquisition  
26 and construction of the industrial facilities mentioned in said report be im-  
27 plemented; and

28 WHEREAS, the Fort Wayne Development Commission adopted a reso-  
29 lution on \_\_\_\_\_, approving the financing of said industrial  
30 facilities as described in said Report to be financed by the loan to Fort Wayne Wire  
31 Die Realty Company of proceeds from the issue and sale of revenue bonds of the City  
32 of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of  
33 Trust, and finding that the proposed financing complies with the purposes and pro-  
34 visions of I.C. 1971, 18-6-4.6; and

35 WHEREAS, said Resolution was presented to the City Clerk for pre-  
sentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Develop-  
ment Commission together with the comments thereon by the Fort Wayne Plan  
Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives  
its approval of the project reported on in the above mentioned Report of the Fort  
Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and  
sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof

35  
APPROVED AS TO FORM  
AND LEGALITY.

  
CITY ATTORNEY

to Fort Wayne Wire Die Realty Company for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. the form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

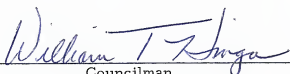
SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project) in the total principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000.00) for the purpose of acquiring funds to loan to Fort Wayne Wire Die Realty Company so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Fort Wayne Wire Die Realty Company on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed \_\_\_\_ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Fort Wayne Wire Die Realty Company.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
\_\_\_\_\_  
Councilman

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 10-8-74

Charles W. Westerhouse  
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage.

Passed ~~unanimously~~ by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	<u>      </u>	ABSENT	<u>1</u>	to-wit:
BURNS	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
HINGA	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
KRAUS	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
MOSES	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>A</u>	
NUCKOLS	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
SCHMIDT, D.	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
SCHMIDT, V.	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
STIER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
TALARICO	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	

DATE: 10-22-74

Charles W. Westerhouse  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Working Map)~~ ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. A-106-74 on the 22nd day of Oct, 1974

ATTEST: (SEAL)

Charles W. Westerhouse  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerhouse  
CITY CLERK

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P. M., E.S.T.

Joe H. Ruff  
MAYOR

Bill No. S-74-10-16

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds  
(Fort Wayne Wire Die Realty Project) of the City of Fort Wayne Wire Die Realty  
Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate,  
machinery, equipment and related property comprising economic development  
facilities for lease and sale to Fort Wayne Wire Die Realty Co. authorizing execution of  
the lease, providing for the pledge of revenues for the payment of said bonds,  
authorizing a mortgage and indenture of trust appropriate for the protection and  
disposition of such revenues; and authorizing the sale of said bonds.'

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Winfield C. Moses, Jr.

Paul M. Burns

*William T. Hinga*  
*John Nuckols*  
*James S. Stier*  
*Winfield C. Moses Jr.*  
*Paul M. Burns*

CONCURRED IN

DATE 10-22-74 CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE *S-74-10-16*

DEPARTMENT REQUESTING ORDINANCE DEVELOPMENT COMMISSION

SYNOPSIS OF ORDINANCE Authorizing the issuance and sale of \$850,000 Economic

Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project)

Authorizing execution of the Lease, Providing for the pledge of revenues for

the payment of Bonds; Authorizing a mortgage and indenture of trust appropriate

for the protection and disposition of such revenues; Authorizing the sale of

said bonds

EFFECT OF PASSAGE Increase in facilities and employment of Fort Wayne Wire Die

EFFECT OF NON-PASSAGE No Increase

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) No cost to City

ASSIGNED TO COMMITTEE (PRESIDENT) *Finance*